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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,917	10/31/2003	Noriaki Ogawa	NIS-15065	2995

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RANKIN, HILL, PORTER & CLARK LLP
4080 ERIE STREET
WILLOUGHBY, OH 44094-7836

EXAMINER

OMGBA, ESSAMA

ART UNIT	PAPER NUMBER
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3726

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,917

Applicant(s)

OGAWA ET AL.

Examiner

Essama Omgba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-6 is/are rejected.
- 7) ☒ Claim(s) 3 and 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/31/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. Figures 5A, 5B and 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Yeh et al. (US PG Pub 2004/0212265).

With regards 1, Applicant, at pages 1-4 of the specification to be known as AAPA, discloses a method of joining a rubber magnet to a yoke, the method comprising the steps of applying an adhesive to an inner peripheral surface of a cylindrical wall section

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of the yoke, forming a rubber magnet by rolling a plate-like rubber magnet into a cylindrical shape, and inserting the cylindrical rubber magnet into the yoke to join the cylindrical rubber magnet to the inner peripheral surface of the yoke by sliding an outer peripheral surface of the cylindrical rubber magnet over the inner peripheral surface of the inner peripheral surface of the peripheral wall section. AAPA does not disclose a plurality of groove being formed in the outer peripheral surface at predetermined intervals in a peripheral direction of the cylindrical rubber magnet, the grooves extending in the outer peripheral surface in a direction in which the cylindrical magnet is inserted into the yoke and being open on both ends of the direction of insertion and being also open outwardly in a radial direction of the cylindrical magnet. However Yeh et al. teaches forming notch patterns or any other patterns on an outer peripheral surface of a rubber magnet in order to enhance adhesive strength between the rubber magnet and a magnetic yoke and improve the flexibility of the rubber magnet, see paragraphs 24-26, 29 and 30. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provide grooves as patterns on the outer peripheral surface of the rubber magnet of AAPA, in light of the teachings of Yeh et al., in order to enhance adhesive strength between the rubber magnet and the magnetic yoke and improve the flexibility of the rubber magnet.

For claim 2, the pattern disclosed by Yeh et al. would allow the adhesive located on an interval between adjacent two notches to get in the adjacent notches.

For claims 4-6, Applicant, at pages 1-4 of the specification to be known as AAPA, discloses a method of joining a rubber magnet to a yoke, the method comprising the

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steps of applying an adhesive to an inner peripheral surface of a cylindrical wall section of the yoke, forming a rubber magnet by rolling a plate-like rubber magnet into a cylindrical shape, and inserting the cylindrical rubber magnet into the yoke to join the cylindrical rubber magnet to the inner peripheral surface of the yoke by sliding an outer peripheral surface of the cylindrical rubber magnet over the inner peripheral surface of the inner peripheral surface of the peripheral wall section. AAPA does not disclose a plurality of recesses formed in the outer peripheral surface of the cylindrical rubber magnet in a dispersed state, the plurality of recesses being open outwardly in a radial direction of the cylindrical rubber magnet. However Yeh et al. teaches such recesses, see paragraphs 24-26, 29 and 30. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provide a plurality of recesses on the outer peripheral surface of the rubber magnet of AAPA, in light of the teachings of Yeh et al., in order to enhance adhesive strength between the rubber magnet and the magnetic yoke and improve the flexibility of the rubber magnet. Applicant should note that the recesses of Yeh et al. are so wide and so spaced apart that they would allow the adhesive to get into a gap between the outer peripheral surface of the cylindrical rubber magnet and the inner peripheral surface of the peripheral wall section of the yoke and also get into the recesses one after another.

Allowable Subject Matter

4. Claims 3 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F (10-7:30) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Essama Omgba
Primary Examiner
Art Unit 3726

eo
February 4, 2005